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EXAMINER
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NASH, LASHANYA RENEE

ART UNIT	PAPER NUMBER
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2153

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/747,755	<b>Applicant(s)</b> ARNOFF, MARY S.	
	<b>Examiner</b> LASHANYA R. NASH	<b>Art Unit</b> 2153	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 May 2008.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 1 and 2 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 3-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

This Office action is in response to the reply filed 2 May 2008. Claims 1-2 have been withdrawn. Claims 3-30 are presented for further consideration.

### ***Election/Restrictions***

Applicant's election without traverse of claims 1-2 in the reply filed on 2 May 2008 is acknowledged.

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 4,5,19,20,21,25,26,28,29 and 30 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "substantially" in the claims is a relative term which renders the claim indefinite. The term "substantially" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree, and one of ordinary skill in the art would not be reasonably apprised of the scope of the invention.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**Claims 3-5, 10-11, 14-15, and 18-30 rejected under 35 U.S.C. 102(b) as being anticipated by Segur (US Patent 6,212,55), hereinafter referred to as Segur.**

In reference to claim 3, Segur discloses a system for converting messages between multiple communication interfaces. Segur discloses:

- A system for integrating standard communication modalities (column 1, lines 58-65; Figure 1), the system comprising:
- a first communication system configured to communicate using a first standard communication protocol (plurality of communication interfaces; column 2, lines 27-47; Figure 2);
- a second communication system configured to communicate using a second standard communication protocol (plurality of communication interfaces; column 2, lines 27-47; Figure 2); and
- a messaging server (i.e. multi-format communications server; column 1, lines 65-67), communicatively coupled to the first communication system the messaging server further being communicatively coupled to the second communication system (column 2, lines 45-55), the messaging server being configured to receive a first communication from the first communication system using the first standard communication protocol, the messaging server being further configured to convert the first communication into a second communication, the second communication being compatible with the second standard communication protocol (column 2, line 56-column 3, line 2), the messaging server being further configured to transmit the

second communication to the second communication system using the second standard communication protocol (column 3, lines 55-65).

In reference to claim 24, Segur discloses a method for converting messages between multiple communication interfaces. Segur discloses:

- A method for integrating standard communication modalities (column 1, lines 58-65; column 3, lines 24-26), the method comprising the steps of:
- receiving a first communication from a first communication system, the first communication being compatible with a first standard communication protocol (plurality of communication interfaces; column 1, lines 65-column 2, line 2; column 2, lines 27-47);
- converting the first communication into a second communication at a messaging server, the second communication being compatible with a second standard communication protocol (column 2, lines 24-26; column 2, line 56-column 3, line 2); and
- transmitting the second communication to a second communication system using the second standard communication protocol (column 2, lines 24-26; column 3, lines 55-65).

In reference to claim 4, Segur discloses wherein the conversion of the first communication into the second communication occurs substantially synchronously with the receiving of the first communication (column 2, lines 18-26).

In reference to claim 5, Segur discloses, wherein the transmission of the second

communication occurs substantially synchronously with the converting of the first communication into the second communication (column 2, lines 24-26).

In reference to claims 10, Segur discloses the system, wherein the first communication system is a legacy voicemail system (i.e. voice messages; column 2, lines 43-45).

In reference to claim 11, Segur discloses the system, wherein the second communication system is an email system (column 2, lines 40-43).

In reference to claim 14, Segur discloses the system wherein the first communication system is an email system (column 2, lines 40-43).

In reference to claim 15, Segur discloses the system, wherein the second communication system is a legacy voicemail system (i.e. voice messages; column 2, lines 43-45).

In reference to claim 17, Segur discloses the system, wherein the second communication system is a legacy voicemail system (i.e. voice messages; column 2, lines 43-45).

In reference to claim 18, Segur discloses the system, further comprising a third communication system configured to communicate using a third standard communication protocol, wherein the messaging server is further communicatively coupled to the third communication system (plurality of communication interfaces; column 2, lines 27-47; Figure 2), the messaging server being further configured to convert the first communication into a third

communication, the third communication being compatible with the third standard communication protocol (column 2, line 56-column 3, line 2), the messaging server being further configured to transmit the third communication to the third communication system using the third standard communication protocol (column 2, lines 24-26; column 3, lines 55-65).

In reference to claim 19, Segur discloses the system, wherein the transmission of the second communication is substantially synchronous with the transmission of the third communication (i.e. multiple converted messages are transmitted; column 3, lines 55-65).

In reference to claim 20, Segur discloses the system of claim 18, wherein the conversion of the first communication into the third communication occurs substantially synchronously with the receiving of the first communication (column 2, lines 18-26).

In reference to claim 21, Segur discloses the system, wherein the transmission of the third communication occurs substantially synchronously with the converting of the first communication into the third communication (column 3, lines 55-65).

In reference to claim 22, Segur discloses the system: wherein the first communication system is different from the second communication system; wherein the second communication system is different from the third communication system; wherein the third communication system is different from the first communication system (plurality of communication interfaces; column 2, lines 27-47; Figure 2-items 52,54,56,58,60,62,64) ; and wherein the first communication system, the second communication system, and the third communication system are each selected from the group consisting of: a public switched telephone network

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(PSTN) telephone system (column 2, lines 43-46); a cellular telephone system (column 2, lines 36-38); an email system (column 2, lines 40-43); an instant messaging (IM) system; an Internet call waiting (ICW) system; and an legacy voicemail system (i.e. voice messages; column 2, lines 43-45).

In reference to claim 23, Segur discloses the system, the first communication system being selected from the group consisting of: a public switched telephone network (PSTN) telephone system (column 2, lines 43-46); a cellular telephone system (column 2, lines 36-38); an Internet call waiting (ICW) system; and the second communication system being different from the first communication system, the second communication system being selected from the group consisting of: a public switched telephone network (PSTN) telephone system (column 2, lines 36-38); a cellular telephone system (column 2, lines 36-38); an email system (column 2, lines 40-43); an instant messaging (IM) system; an Internet call waiting (ICW) system; and an legacy voicemail system (i.e. voice messages; column 2, lines 43-45); and the third communication system being different from the second communication system, the third communication system further being different from the second communication system (plurality of communication interfaces; column 2, lines 27-47; Figure 2), the third communication system being selected from the group consisting of: a public switched telephone network (PSTN) telephone system (column 2, lines 43-46); a cellular telephone system (column 2, lines 36-38); an email system (column 2, lines 40-43); an instant messaging (IM) system; an Internet call waiting (ICW) system; and an legacy voicemail system (i.e. voice messages; column 2, lines 43-45).



In reference to claim 25, Segur discloses the method of claim 24, wherein the step of receiving the first communication and the step of converting the first communication into the second communication occur substantially synchronously (column 2, lines 18-26).

In reference to claim 26, Segur discloses the method, wherein the step of converting the first communication into the second communication and the step of transmitting the second communication occur substantially synchronously (column 2, lines 24-26).

In reference to claim 27, Segur discloses the method, further comprising the steps of: converting the first communication into a third communication, the third communication being compatible with a third standard communication protocol (column 2, line 56-column 3, line 2); and transmitting the third communication to a third communication system using the third standard communication protocol (column 3, lines 55-65).

In reference to claim 28, Segur discloses the method, wherein the step of transmitting the second communication and the step of transmitting the third communication occur substantially synchronously (i.e. multiple converted messages are transmitted; column 3, lines 55-65).

In reference to claim 29, Segur discloses the method, wherein the step of receiving the first communication and the step of converting the first communication into the third communication occur substantially synchronously (column 2, lines 18-26).

In reference to claim 30, Segur discloses the method, wherein the step of converting the first communication into the third communication and the step of transmitting the third communication occur substantially synchronously (column 2, lines 55-65).

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 6-9, 12-13, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Segur as applied above to claims 3 and 24, in view of Zafar et al. (US Patent 7,142,646), hereinafter referred to as Zafar.**

In reference to claim 6, although Segur disclose multiple communication interfaces, the reference fails to disclose the system wherein the first communication system is an Internet call waiting (ICW) system. Nonetheless, this was a well known feature in the art at the time of the invention, as further evidenced by Zafar.

In an analogous art, Zafar discloses a unified messaging system, wherein a communication system is an Internet call waiting (ICW) system (column 2, lines 7-22). One of ordinary skill in the art at the time of the invention would have been so motivated to include the ICW system, as taught by Zafar, to the multiple communication interfaces of the system as taught by Segur, so as provide further unified messaging between data processing (Internet) and telephony (i.e. voicemail) systems (Zafar; column 1, lines 60-65).

In reference to claim 7, Segur discloses the system wherein the second communication system is a legacy voicemail system (i.e. voice messages; column 2, lines 43-45).

In reference to claim 8, Segur discloses the system wherein the second communication system is an email system (column 2, lines 40-43).

In reference to claim 9, Zafar disclose the system wherein the second communication system is an instant messaging (IM) system (column 2, lines 7-22).

In reference to claim 12, although Segur disclose multiple communication interfaces, the reference fails to disclose the system wherein the second communication system is an instant messaging (IM) system. Nonetheless, this was a well known feature in the art at the time of the invention, as further evidenced by Zafar.

In an analogous art, Zafar discloses a unified messaging system wherein a communication system is an instant messaging (IM) system (column 2, lines 7-22). One of ordinary skill in the art at the time of the invention would have been so motivated to include the IM system, as taught by Zafar, to the multiple communication interfaces of the system as taught by Segur, so as provide further unified messaging between data processing (Internet) and telephony (i.e. voicemail) systems (Zafar; column 1, lines 60-65).

In reference to claim 13, although Segur disclose multiple communication interfaces, the reference fails to disclose the wherein the second communication system is an Internet call waiting (ICW) system. Nonetheless, this was a well known feature in the art at the time of the invention, as further evidenced by Zafar.

In an analogous art, Zafar discloses a unified messaging system, wherein a communication system is an Internet call waiting (ICW) system (column 2, lines 7-22). One of ordinary skill in the art at the time of the invention would have been so motivated to include the ICW system, as taught by Zafar, to the multiple communication interfaces of the system as taught by Segur, so as provide further unified messaging between data processing (Internet) and telephony (i.e. voicemail) systems (Zafar; column 1, lines 60-65).

In reference to claim 16, although Segur disclose multiple communication interfaces, the reference fails to disclose the system wherein the first communication system is an instant messaging (IM) system. Nonetheless, this was a well known feature in the art at the time of the invention, as further evidenced by Zafar.

In an analogous art, Zafar discloses a unified messaging system wherein a communication system is an instant messaging (IM) system (column 2, lines 7-22). One of ordinary skill in the art at the time of the invention would have been so motivated to include the IM system, as taught by Zafar, to the multiple communication interfaces of the system as taught by Segur, so as provide further unified messaging between data processing (Internet) and telephony (i.e. voicemail) systems (Zafar; column 1, lines 60-65).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LASHANYA R. NASH whose telephone number is (571)272-3957. The examiner can normally be reached on 9am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571) 272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LaShanya R Nash/  
Examiner, Art Unit 2153  
June 4, 2008

/Glenton B. Burgess/  
Supervisory Patent Examiner, Art  
Unit 2153